

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11832-GAO

RONNIE JONES, RICHARD BECKERS, WALTER R. WASHINGTON,
WILLIAM E. BRIDGEFORTH, SHAWN N. HARRIS, EUGENE WADE,
GEORGER C. DOWNING, JR., CLARARISE BRISTOW and the
MASSACHUSETTS ASS'N OF MINORITY LAW ENFORCEMENT
OFFICERS,

Plaintiffs,

v.

CITY OF BOSTON, BOSTON POLICE DEPARTMENT and KATHLEEN
O'TOOLE as she is Commissioner of the Boston Police
Department.

Defendants.

DEFENDANTS' ASSENTED-TO MOTION TO CONTINUE DATE OF
LOCAL RULE 16.1 SCHEDULING CONFERENCE.

NOW COME the Defendants in the above-entitled action (with the assent of the Plaintiffs) and respectfully move this Honorable Court for a continuance of the Local Rule 16.1 Scheduling Conference currently set for Tuesday, January 24, 2006. As grounds for this motion, the Defendants state that:

1. The Plaintiffs complied with Local Rule 16.1(B) in a timely fashion by suggesting a pre-trial schedule for the case;
2. The City of Boston expects to retain private outside counsel to represent the Defendants in this matter;
3. The City of Boston's Corporation Counsel has been engaged in negotiations with outside counsel concerning representation of the Defendants. That representation has not been finalized as of the date of this motion;
4. The higher level of resources private outside counsel would be able to devote to this litigation means that the

Defendants proposal for a discovery schedule is dependent upon prior resolution of the representation issue;

5. Counsel for the Parties have nevertheless had discussions concerning the Plaintiffs' proposed pre-trial schedule, as well as alternatives for phased discovery which potentially may reduce costs and preserve judicial and other resources. Upon engagement of outside counsel for the Defendants, the Parties anticipate further cooperative discussions to finalize a joint proposal regarding how discovery may best be structured;
6. The Defendants request that the Scheduling Conference be continued to permit completion of this process; and,
7. The Plaintiffs have assented to this motion.

WHEREFORE, the Defendants request that the Scheduling Conference now set for January 24, 2006, be continued for fourteen days to February 7, 2006, or to a date thereafter permitted by the Court's calendar. The Defendants further request that if permitted by the Court's calendar, the rescheduled Conference not be held between February 16, and February 28, 2006, in order to accommodate a scheduling conflict of Plaintiffs' Counsel.

Respectfully submitted,

DEFENDANTS, CITY OF BOSTON,
BOSTON POLICE DEPARTMENT and KATHLEEN O'TOOLE

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By their attorneys:

s/ James M. Chernetsky

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ASSENTED TO:

PLAINTIFFS, RONNIE JONES, RICHARD
BECKERS, WALTER WASHINGTON, WILLIAM
EARL BRIDGEFORTH, SHAWN N. HARRIS,
EUGENE WADE GEORGE C. DOWNING, JR.,
CLARARISE BRISTOW, AND THE
MASSACHUSETTS ASSOCIATION OF
MINORITY LAW ENFORCEMENT OFFICERS,

By their attorneys,

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